

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TIMOTHY MULCHER,	:	
Plaintiff	:	
	:	CIVIL NO. 3:15-CV-0032
v.	:	
	:	(JUDGE NEALON)
STEVEN GREENWALD, <u>ET AL.</u> ,	:	(MAGISTRATE JUDGE CARLSON)
Defendant	:	

ORDER

NOW, THIS 12TH DAY OF FEBRUARY, 2015, for the reasons set forth in the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The rationale of the Report and Recommendation, (Doc. 8), is **ADOPTED**, but the conclusion of the Report and Recommendation to dismiss Plaintiff's complaint and amended complaint without prejudice is **NOT ADOPTED**;
2. The Complaint, (Doc. 1), and the Amended Complaint, (Doc. 6), are **DISMISSED with prejudice** as leave to amend would be futile;
3. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 2), is **GRANTED** for the sole purpose of filing this action;
4. The Clerk of Court is directed to **CLOSE** this case; and
5. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.

/s/ William J. Nealon
United States District Judge